IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39080 of 2008
1. UMESH YADAV
2. Shankar Yadav
Versus
STATE OF BIHAR

For the petitioner : Mr. Girish Chandra Jha, Advocate
For the informant : Sushree J. Aga, Advocate
For the State : Mr. D. Mehta, A.P.P.

---

2. 16.10.2008 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P.

In the background of dispute for a particular land the two petitioners are alleged to have dealt blows with Khanti and a piece of bamboo on the head of the mother of the informant.

The contention is that it could not be said for certainty as to whose blow caused death of the deceased and further that it required a perusal of the opinion of the doctor, who first could have attended to the injuries of the deceased.

WEB COPY NOT OFFICIAL

Learned Sessions Judge has passed an order and has mentioned extract of the post mortem examination report and if one could consider that part of the order then one could come to a conclusion that there were injuries more than one and the head of the lady was virtually smashed inasmuch as the injuries were on the forehead as also vortex and besides the same being extended to anteriar midline up to the nose to the bone. This could be possible only by the manner of assault as alleged.

This Court, as such, is not inclined to direct release of the petitioner on bail. The petition is dismissed.

The court below shall never be prejudiced by the above

findings of the Court.

(Dharnidhar Jha,J)

sudip

WEB COPY NOT OFFICIAL